

REMARKS

Claims 1-5, 7-18, and 20 are pending in the present application. Claims 6 and 19 have been canceled. Claims 1-3, 5-9, 11, 13-15, 17, and 18 have been amended. Claims 1, 5, and 13 are independent claims. The Examiner is respectfully requested to reconsider the outstanding rejection in view of the above amendments and the following remarks.

Rejection Under 35 U.S.C. § 103

Claims 1-20 stand rejected under 35 USC § 103(a) as being unpatentable over U.S. Patent Application Publication 2004/0204775 to Keyes et al. (hereafter “Keyes”) in view of U.S. Patent No. 4,173,205 to Toelle (hereafter “Toelle”). This rejection is respectfully traversed.

Initially, the rejection of claims 6 and 19 has been rendered moot by the cancellation of these claims.

In the Amendment filed October 12, 2006, Applicants previously argued that the Examiner’s proposed combination of Keyes and Toelle is improper under § 103 because the Examiner has failed to establish a proper motivation for combining the references. Applicants further argued that the proposed modification would render Keyes’ invention improper for its intended purpose. Applicants respectfully maintain the position that the § 103 rejection is invalid, and request the Examiner to carefully reconsider these arguments.

However, in an effort to expedite prosecution, Applicants have amended the claims to further distinguish over the teachings of Keyes and Toelle.

Particularly, independent claims 1, 5, and 13 have been amended to recite that regression analysis is performed to obtain a correlation between an operative parameter of a plant process and each of a plurality of operation elements or devices of the plant. Also, these claims now recite that the operation efficiency of each operation element/device is stored in a table in association with a highly correlative operative parameter as determined by the regression analysis.

Applicants respectfully submit that there is no teaching or suggestion in Keyes and Toelle, taken alone or in combination, of performing a regression analysis. Furthermore, Keyes and Toelle do not teach or suggest performing any type of statistical analysis in order to find parameters that are highly correlative to individual elements or devices, as claimed.

Furthermore, claims 1, 5, and 13 have been amended to recite that the table stores a relationship between the operation efficiency of each operation element/device and the overall efficiency of the plant process. Applicants submit that neither Keyes nor Toelle suggests providing a table that associates the performance of individual devices with an overall efficiency of the plant.

In view of the foregoing, Applicants respectfully submit that Keyes and Toelle fail to teach or suggest all of the claimed limitations. As set forth in MPEP § 2143.03,

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

Thus, Applicants respectfully submit that independent claims 1, 5, and 13 are in condition for allowance. Accordingly, claims 2-4, 7-12, 14-18, and 20 are allowable at least by virtue of their dependency on allowable independent claims. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw this rejection.

Conclusion

Entry of this Amendment After Final is respectfully requested. In view of the above amendments and remarks, the Examiner is respectfully requested to reconsider the outstanding rejections and issue a Notice of Allowance in the present application.

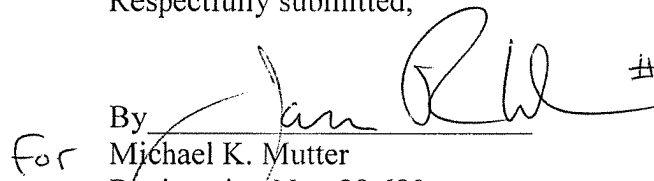
All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request the Examiner to reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

Should the Examiner believe that any outstanding matters remain in the present application, the Examiner is respectfully requested to contact Jason W. Rhodes (Reg. No. 47,305) at the telephone number of the undersigned to discuss the present application in an effort to expedite prosecution.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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